

REMARKS

Independent Claims 1 and 11 have been amended to further define the method of this invention. Specifically, such claims have been amended to recite that the method of this invention forms a vehicle frame assembly that is adapted to be resiliently supported upon a plurality of vehicle wheels by a suspension system and is adapted to serve as a platform upon which a body portion of the vehicle can be mounted.

Previously, the Examiner rejected Claims 1, 2, 4-7, 11, and 14 under 35 U.S.C. 102(b) as being anticipated by the Horton et al. reference. It is believed that the rejection should have been made under 35 U.S.C. 102(e) because the Horton et al. reference issued after the filing date of this application. Regardless, the rejection is traversed.

Amended Claim 1 specifically defines the invention as a method for manufacturing a vehicle frame assembly that is adapted to be resiliently supported upon a plurality of vehicle wheels by a suspension system and is adapted to serve as a platform upon which a body portion of the vehicle can be mounted. Initially, a first side rail is hydroformed so as to have an integrally formed mounting structure. A second side rail and a cross member are provided. The cross member is secured to the side rails to form the vehicle frame assembly. Lastly, a component of the vehicle is connected directly to the integrally formed mounting structure of the first side rail without the use of brackets or other mounts. Claim 11 defines the invention in a similar manner, except that both the first and second side rails are hydroformed so as to have integrally formed mounting structures.

The Horton et al. reference does not show or suggest this structure. On the contrary, the Horton et al. reference discloses a method for manufacturing an engine cradle for use with a vehicle frame assembly. An engine cradle is not a vehicle frame assembly as shown in the drawings and as specifically claimed. The amended language of Claims 1 and 11 further reinforce the differences between the claimed method and the method suggested in the the Horton et al. reference. Thus, the Horton et al. reference clearly does not anticipate the claimed invention.

Furthermore, the Horton et al. reference does not render any of the claims obvious. The Examiner notes that most of the specifically claimed steps recited in the dependent claims are not shown in the Horton et al. reference. To address this, the Examiner states that a person having ordinary skill in the art would find such steps to be inherent in the Horton et al. reference or simply obvious. However, the Examiner refers to no teaching whatsoever contained within the Horton et al. reference as to the basis for this sweeping conclusion. As noted above, the claimed invention relates to a method for manufacturing a vehicle frame assembly, not an engine cradle assembly for use with a vehicle frame assembly. Thus, it is believed that the Examiner is improperly using hindsight to support the claim of obviousness.